

REMARKS

Applicants thank the Examiner for the consideration given the present application.

Claims 1-25 and 27 are now present in this application. Claims 1, 11, 13, 18 and 27 are independent. Claim 26 has been canceled. Claims 1, 11, 13, 18 and 21 are amended. Claim 27 is a new claim. Reconsideration of this application, as amended, is respectfully requested.

Entry of Claims Amendments

Applicants respectfully submit that it is proper to enter the proposed claim amendments because they merely add features which are clearly disclosed and have been presented in some of the dependent claims, so that there will be no undue administrative burden on the Examiner to treat the amended claims on their merits. Moreover, even though independent apparatus claim 27 is added, a corresponding independent apparatus claim, i.e., claim 26, is canceled.

Additionally, this amendment is based on the discussion between Applicants' representative named below and Examiner Yenke in as part of a *bona fide* attempt to advance prosecution of this Application, which already involves the filing of a Request for Continued Examination, and to present claims that are clearly allowable over the applied art.

Under the circumstances, Applicants respectfully request that this Amendment be entered and this Application allowed, as amended.

Rejections Under 35 U.S.C. §103

Claims 1-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,831,591 to Suh in view of U.S. Patent No. 6,141,003 to Chor et al. (hereinafter, "Chor") and further in view of U.S. Patent Application Publication 2002/0060749 to Funakoshi et al. (hereinafter, "Funakoshi"). This rejection is respectfully traversed.

Applicants traverse this rejection at least for the reasons presented in traversal of this rejection in the Reply filed on April 12, 2005.

Nevertheless, in the interest of expediting allowance of claims directed to Applicants' invention, independent claims 1, 11, 13 and 18 have been amended, to positively recite features that read on aspects of Applicants' Fig. 5, as per a telephone discussion by Applicant's representative named below, and Examiner Yenke on September 13, 2005. Applicants respectfully submit that the combinations of positively recited features of claims 1, 11, 13 and 18 are neither disclosed nor suggested by the applied art.

For example, none of the applied art discloses or suggests: (1) displaying each interactive menu element including an icon in the menu display screen depending on the screen display mode if all elements of the menu can be displayed on the determined display area in a default size without separately adjusting the

size of an interactive menu element; (2) automatically reducing the size of said menu elements to a size other than a default size in accordance with the size of the screen on which the menu is displayed, to permit said menu elements to be displayed on the determined display area if the determined area is too small to display all menu elements; and (3) enlarging the reduced size menu elements by a factor that is less than a reciprocal number of the size reduction factor of the menu elements to display menu elements to be easily discriminated by a viewer on the display screen, as recited in independent claim 1.

Also, none of the applied art discloses or suggests (1) displaying each interactive menu element including said program specific information, including broadcasting information on the menu display screen if all elements of the menu can be displayed on the determined display area in a default size without separately adjusting the size of an interactive menu element; (2) automatically reducing the size of said interactive menu elements to a size other than a default size in accordance with the size of the screen on which the menu is displayed, to permit said menu elements to be displayed on the determined display area if the determined area is too small to display all menu elements; and (3) enlarging the reduced size menu elements by a factor that is less than a reciprocal number of the size reduction factor of the menu elements to display menu elements that are easily discriminated by a viewer on the display screen, as recited in claim 11.

Moreover, none of the applied art discloses or suggests (1) displaying each interactive menu element including an icon in the menu display screen depending on the screen display mode if all elements of the menu can be displayed on the determined display area in a default size without separately adjusting the size of an interactive menu element; (2) automatically reducing the size of one or more interactive icons to a size other than a default size in accordance with the size of the screen on which the menu is displayed, to permit the interactive menu elements to be displayed on the determined display area if the determined area is too small to display all menu elements; (3) enlarging the reduced size interactive menu elements by a factor that is less than a reciprocal number of the size reduction factor of the menu elements to display menu elements that are so as to be distinguishably recognizable by said user when displayed on said menu-display screen ; and displaying the resized icons on said menu-display screen, as recited by independent claim 13.

Also, none of the applied art discloses or suggests (1) displaying all interactive menu element including an icon in the menu display screen depending on the screen display mode if all elements of the menu can be displayed on the determined display area in a default size without separately adjusting the size of an interactive menu element; (2) automatically sizing one or more interactive icons of the interactive menu to a first size other than a default size, the first size being proportionate with a size of the menu-display screen, to permit the interactive

menu elements to be displayed on the determined display area if the determined area is too small to display all menu elements; (3) automatically reducing the size of the interactive icons to a new size based on a ratio between the first size and the size of the menu-display screen to permit said icon to be easily discriminated by a viewer; and (4) displaying the automatically resized icons on said menu-display screen, as recited in independent claim 18.

Additionally, none of the applied references discloses or suggests the system with the means recited in claim 27 that perform the functions recited in claim 1.

Accordingly, even if these three references were properly combined as suggested, they would not result in, or render obvious, the claimed invention.

Reconsideration and withdrawal of the rejection of independent claims 1, 11, 13 and 18, and allowance of those claims and of new independent claim 27 are respectfully requested

#### Dependent Claims

Claims 2-10, 12, 14-17 and 19-25 depend, either directly or indirectly, on independent claims 1, 11, 13 and 18, respectively. Because neither Suh nor Chor nor Funakoshi discloses or suggests the above-recited features of independent claims 1, 11, 13 and 18, neither Suh nor Chor, either individually or in combination, can render claims 2-10, 12, 14-17 and 19-25 obvious to one of

ordinary skill in the art. Reconsideration and withdrawal of this art ground of rejection is respectfully requested.

Reconsideration and withdrawal of this rejection of claims 1-26 and allowance of claims 1-25 and 27 is respectfully requested.

#### Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants, therefore, respectfully request that the Examiner reconsider all present rejections and that they be withdrawn. It is believed that a full and complete response has been made to the present Office Action, and as such, the present application is in condition for allowance.

Moreover, the finality of the Office Action is manifestly improper because of the failure of the Office Action to comply with the provisions of MPEP 707.07(a) for reasons discussed above. Applicants respectfully request that the finality of this Office Action be withdrawn and a new Office Action be prepared and mailed.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 46,472, at (703) 205-8034, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

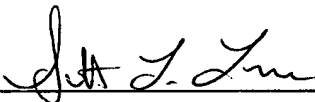
Application No.: 09/475,135  
Art Unit 2614

Attorney Docket No. 0465-0647P  
Reply to June 22, 2005 Office Action  
Page 19

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or §1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:  #41,458


James T. Eller, Jr.

Reg. No.: 39,538

P.O. Box 747

Falls Church, VA 22040-0747

Telephone: (703) 205-8000

JTE/RJW:gf 

0465-0647P